

# YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 16- \_\_\_\_

## Amended Resolution of Intent to Create Fuego Fire Service Area

WHEREAS, Section 7-33-2401(1) of the Montana Code Annotated gives a board of county commissioners the authority to create a fire service area upon receipt of a petition to create the area by the property owners in the proposed area. Section 7-33-2401(2) of the Montana Code Annotated requires a board of county commissioners to (1) pass a resolution of intent to create the area; (2) hold a public hearing no earlier than 30 or later than 90 days after passage of the resolution of intent; (3) at the public hearing, accept written protests and comments related to the creation of the area and (4) pass a resolution to create the area. The creation of the district is effective 60 days after passage of the resolution unless by that date more than 50% of the property owners in the proposed district have protested the creation of the district.

WHEREAS, on November 15, 2016 the Yellowstone County Board of County Commissioners received a petition to create the Fuego Fire Service Area to provide wildfire protection in an area north of Billings. Attached is (1) a copy of the petition, (2) a map of the proposed area, (3) a list of the properties and property owners in the proposed area, (4) a proposed contract for services for the proposed area and (5) a summary as to the projected finances of the proposed area.

Entity:	Fire Service Area
Location:	North of Billings.
Service:	Wildfire Protection. Fuego Inc., a volunteer fire company, will provide the Area with wildfire protection through a contract. Fire protection for structures will not be provided.
Management:	An appointed board of trustees
Existence:	Perpetual
Assessment:	\$0.15 per acre up to a maximum of \$250.00 for a property owner. Board may adjust the assessment schedule annually. The Area will also contract with the County to provide general fire wildfire protection throughout the County for a fee.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners intends to create the Fuego Fire Service Area to provide wildfire protection in an area north of Billings as indicated in the petition to create the area. On December 20, 2016, the Board will hold a public hearing on the proposed creation of the Area. At the hearing, the Board will receive protests and comments on the proposed area. The Board orders the Yellowstone County Clerk and Recorder to provide notice of the hearing. After the hearing, if the Board believes the proposed area is in the best interest of the public, the Board will pass a resolution to create the Area. If the Board passes a resolution to create the Area, the Area will be created 60 days after passage of the resolution unless by that date more than 50% of the property owners in the proposed area have protested the creation of the Area. The Area will begin its assessments in 2017.

The Board cancels the initial public hearing set for the Area on November 22, 2016.

Passed and Adopted on the 15<sup>th</sup> day of November 2016

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

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John Ostlund, Chairman  
Yellowstone County Commissioner

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James E. Reno, Member  
Yellowstone County Commissioner

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Robyn Driscoll, Member  
Yellowstone County Commissioner

Attest:

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Jeff Martin  
Yellowstone County Clerk and Recorder

**Chronology**

Agenda – November 7, 2016

Resolution of Intent – November 15, 2016

Publication of Notice – November 18, 2016 and November 25, 2016

Public Hearing and Resolution – December 20, 2016 (35 days from Resolution of Intent)

Resolution Effective – February 18, 2017 (60 days from Resolution)

Return to Board – February 21, 2017

**Documents**

Petition

Map

List of Properties and Property Owners

Draft Contract

Finance Summary

Resolution of Intent

Notice

Resolution

Resolution as to Protests